



Stormwater Ordinance
Effective February 1, 2016



General Overview Presentation



Stormwater Regulations

Short History

- ❖ Floodplain standards per federal requirements (late 70's)
- ❖ Detention requirements (mid to late 90's)
- ❖ Stormwater standards (late 90's)
- ❖ New Growth Area Standards (2005)
 - ❖ Preservation of minimum corridors City wide
 - ❖ No net rise/fill within the New Growth Areas
- ❖ Salt Creek Storage Area Standards (2006)
- ❖ No Net Fill/Rise Policy for City subsidized projects (mid 2000's)

NDEQ Stormwater Requirements



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

Suite 400, The Atrium

1200 N. Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

website: www.deq.state.ne.us

Authorization to Discharge Under the National Pollutant Discharge Elimination System (NPDES)

This NPDES permit is issued in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Secs. 1251 *et. seq.* as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Secs. 81-1501 *et. seq.* as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. The municipal separate storm sewer system (MS4) identified in this permit is authorized to discharge storm water and other authorized flows, and is subject to the limitations, requirements, prohibitions and conditions set forth herein. This permit regulates and controls the release of pollutants in the discharges authorized herein. This permit does not relieve Permittees of other duties and responsibilities under the Nebraska Environmental Protection Act, as amended, or established by regulations promulgated pursuant thereto.

NPDES Permit No.: **NE0133671**

IIS File No.: **999333**

Permittee: **City of Lincoln, Nebraska**

Coverage: **All discharges from the Lincoln MS4 system that discharge to waters of the State, including any MS4 discharges that may reach waters of the State through intermediate drainage ways or conduits.**

Receiving Water: **Salt Creek and several tributaries**

Effective Date: **January 1, 2013**

Expiration Date: **December 31, 2017**

Pursuant to the Delegation Memorandum dated January 12, 1999 and signed by the Director, the undersigned hereby executes this document on the behalf of the Director.

Signed this 26th day of December, 2012

Marty Link
Acting Water Quality Division Administrator

2012 Task Force





Ordinance 28.03

Regulations for Post Construction Stormwater Management

- ❖ Manage water quality events
 - ❖ Waiver for developments that have planning commission approval (e.g. preliminary plat approval) prior to February 1, 2016
- 



Ordinance Requirements

- ❖ Management of all rainfall events for development and redevelopment projects over one acre
 - ❖ 0.83 inches or less for development projects (80% event)
 - ❖ 0.62 inches or less for redevelopment projects (70% event)



Ordinance Requirements

- ❖ Not required for:
 - ❖ Individual lots (under one acre)
 - ❖ **Developments with preliminary plats or redevelopments with building permits approved prior February 1, 2016**
 - ❖ Director granted exemptions



Ordinance Requirements

- ❖ Inspections/Maintenance
 - ❖ Property owner required to inspect and maintain Best Management Practices
 - ❖ Inspections by qualified individual
 - ❖ Maintenance agreement needed prior to obtaining building permits
 - ❖ City will inspect periodically



Ordinance Requirements

- ❖ Replacement
 - ❖ City to replace if shown that Best Management Practice was properly designed, installed, inspected and maintained
- 



Ordinance Requirements

❖ Credits

- ❖ Credits available within each watershed (e.g. Beal Slough, Antelope Creek, etc)

- ❖ Credits for managing stormwater above the criteria amount

- ❖ Credits for using conservation design practices



Best Management Practices

- ❖ Rainfall events would be managed by the use of Best Management Practices
 - ❖ Development projects
 - ❖ Wetlands
 - ❖ Extended Detention Basins
 - ❖ Retention Basins

Submerged Wetland



Wetland

07.02.2010 09:21

Retention Pond



07.02.2010 11:25

Best Management Practices

- ❖ Rainfall events would be managed by the use of Best Management Practices
 - ❖ Development/Redevelopment projects
 - ❖ Green Roofs
 - ❖ Permeable Pavements
 - ❖ Bioretention Facilities
 - ❖ Others

Green Roof



Bioretention



Permeable Pavements





Design

Storage Volume/ Release Rates

- ❖ BMP Facilities shall be adequate to hold the WQCV
- ❖ Generally release rates are over a 24 to 40 hour period
 - ❖ For extended detention ponds, both water quality and quantity will be drained with 72 hours
 - ❖ Retention ponds and subsurface BMPs will be drained between 12 and 40 hours



Submittals

- ❖ Water quality control form (Appendix 8.1 in the drainage criteria manual)
 - ❖ Plans
 - ❖ Calculations and Descriptions as necessary
 - ❖ Maintenance Plan



Land Redevelopment Project Examples

- ❖ Building permit approved on or after 2/1/16 with more than one acre of disturbance
- ❖ Amendment to existing use permit to change one acre or more of existing parking lot and building to new building and parking (building permit approval on or after 2/1/16)



Land Development Project Examples

- ❖ Amendment approved on or after 2/1/16 to approved PUD adding one are or more of agricultural land to future residential. Added area subject to ordinance 28.03
- ❖ Amendment approved on or after 2/1/16 to approved PUD that completely revises street and lot layout of one acre or more
- ❖ New acreage subdivision outside city limits but within 3 mile jurisdiction approved on or after 2/1/16
- ❖ Amendment approved on or after 2/1/16 to approved CUP that revises grading of one acre or more

Exemption Examples

- ❖ New use permit one acre or greater approved on or after 2/1/16 for existing commercial facility where disturbing less than one acre for second building and additional parking
- ❖ Amendment to special permit on or after 2/1/16 where the initial special permit was approved prior to 2016 but doesn't change the site plan (e.g. adjustment to height or parking)
- ❖ New PUD for residential/commercial development approved January 2016 (approved prior to 2/1/16)

Benefits besides improving water quality

- ❖ reduces stream bank erosion
- ❖ reduces localized flooding
- ❖ increased base flows
- ❖ more biodiversity



- ❖ sustainable practice
- ❖ healthy lifestyle
- ❖ less maintenance
- ❖ promotes aquatic & riparian habitats

Developer Benefits

- ❖ can reduce grey infrastructure costs
- ❖ increases lot aesthetics
- ❖ more sustainable
- ❖ more marketable





Watershed Management

- ❖ For more information contact Ben Higgins
 - ❖ watershed@lincoln.ne.gov
 - ❖ 402-441-7589
 - ❖ lincoln.ne.gov (keyword 'clean water')